

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

MICHAEL HEILBRON,

Case No. 18-42486-ess

Debtor.

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BENJAMIN PLAZA, JR.,

Plaintiff,

-against-

Adv. Pro. No. 18-01055-ess

MICHAEL HEILBRON,

Defendant.

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**ORDER AND JUDGMENT ON PLAINTIFF BENJAMIN PLAZA, JR.'S MOTION FOR  
SUMMARY JUDGMENT**

Upon the Complaint filed by Benjamin Plaza, Jr. (the “Plaintiff”) filed on May 7, 2018, against Michael Heilbron (the “Defendant”), seeking a determination that the debt that the Defendant owes to the Plaintiff pursuant to the Default Judgment<sup>1</sup> for assault and battery entered in the Queens Supreme Court Action is nondischargeable under Bankruptcy Code Section 523(a)(6); the Answer filed by Mr. Heilbron on May 10, 2018; the Amended Complaint filed on September 17, 2018; the Amended Answer filed on September 19, 2018; the Motion for Summary Judgment in this adversary proceeding filed on December 20, 2018, by the Plaintiff; the Opposition to the Motion for Summary Judgment filed on December 27, 2018, by the Defendant; the hearing held before this Court from time to time and on July 23, 2019; and based

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<sup>1</sup> All capitalized terms not otherwise defined herein have the same meanings as used in this Court’s Memorandum Decision on Plaintiff Benjamin Plaza, Jr.’s Motion for Summary Judgment dated January 15, 2020.

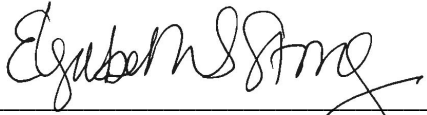
upon the entire record, and for the reasons stated in the Court's Memorandum Decision on Plaintiff Benjamin Plaza, Jr.'s Motion for Summary Judgment dated January 15, 2020, and for cause shown, it is hereby

ORDERED AND ADJUDGED, that the Motion for Summary Judgment is granted; and it is further

ORDERED AND ADJUDGED, that judgment is entered in favor of Benjamin Plaza, Jr. and against Michael Heilbron on Mr. Plaza's cause of action, that the Default Judgment for assault and battery entered in the Queens Supreme Court Action is nondischargeable pursuant to Bankruptcy Code Section 523(a)(6).

**Dated: Brooklyn, New York  
January 15, 2020**



  
**Elizabeth S. Stong**  
**United States Bankruptcy Judge**